

ORDINANCE BL2018-1256

An ordinance amending Sections 10.28.010 and 16.24.330 of the Metropolitan Code of Laws to reinstate allowances for properties in a natural state.

WHEREAS, the Department of Codes Administration is authorized to address control of excess vegetation; and

WHEREAS, the Property Standards and Appeals Board is empowered to hear appeals of cases involving control of excessive vegetation upon which the department of codes administration has acted; and

WHEREAS, properly maintained properties in a natural state allow property owners to cultivate and beautify lawns and landscapes with intentional designs for vegetative growth that may not otherwise subscribe to conventional landscape designs; and

WHEREAS, Chapter 10 of the Metropolitan Code of Laws has historically provided for and allowed properties in a natural state as late as October, 2017; and Chapter 16 continues to allow such properties.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Metropolitan Code of Laws is hereby amended by revising Section 10.28.010 to add a new subsection C as follows:

10.28.010 - Excessive growth and accumulation prohibited.

- A. No person shall create, maintain or permit to maintain the excessive growth of any vegetation, including trees, vines, grass, underbrush and/or the accumulation of debris, trash, litter or garbage, or any combination of those elements, so as to endanger the health, safety or welfare of the citizens of the metropolitan government or to encourage the infestation of rats or other harmful rodents or animals.
- B. All premises and exterior property shall be maintained free from weeds in excess of twelve inches so as not to endanger the health, safety, and welfare of the citizens of the metropolitan government. Weeds shall be defined as all grasses, annual plants and vegetation, other than ornamental grasses, trees or shrubs; provided, however, this term shall not include cultivated flowers and gardens.
- C. Properties in a natural state may be allowed if an intentional design for vegetative growth is on file with the metropolitan beautification commission horticulturist.

Section 2. The Metropolitan Code of Laws is hereby further amended by deleting Section 16.24.330.E in its entirety and substituting in lieu thereof the following:

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- E. High Weeds. All premises and exterior property shall be maintained free from weeds in excess of twelve inches so as not to endanger the health, safety, and welfare of the citizens of the metropolitan government. "Weeds" shall be defined as all grasses, annual plants, and vegetation that grow without reasonable intent or purpose to cultivate, harvest, or use for human consumption, or are not otherwise trimmed or controlled. "Weeds" does not include ornamental grasses, trees, trimmed shrubs, or cultivated flowers and gardens. Properties in a natural state may be allowed if an

intentional design for vegetative growth is on file with and approved by the metropolitan beautification commission horticulturalist. All government-owned greenways, parks, and recreation areas shall be exempt from the provisions of this subsection.

Section 3. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Burkley Allen

Robert Swope

Jeff Syracuse

Dave Rosenberg
Members of Council